

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROGER NEUFELD,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

1:05-CV-00530 REC SMS P

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
SECOND AMENDED COMPLAINT,
AND DENYING REQUEST RETURN
OF COPIES

(DOCUMENT #16)

On November 2, 2005, plaintiff filed a motion to extend time to file a second amended complaint. In addition, plaintiff requested the return of seventeen copies of his first amended complaint, submitted by plaintiff for the defendants, along with plaintiff's original first amended complaint.

Unless the Court has requested the submission of copies for a specified purpose (e.g., parties submitting filings in paper are to provide one additional copy for the Court's use), the Court does not retain copies. If plaintiff submitted seventeen copies of his first amended complaint, the copies were not kept and, therefore, cannot be returned to plaintiff. Plaintiff is required to submit one copy in addition to his original filing, for the Court's use. It is unnecessary for plaintiff to send any copies to the Court for defendants. Once the complaint is screened and deemed appropriate for service of process by the Marshal, the Court will direct plaintiff via order to submit additional copies to be served on each named defendant. Until the Court issues such a directive to plaintiff, it is unnecessary for plaintiff to submit any copies of his amended complaint for defendants.

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff's motion for an extension of time to file a second amended complaint is GRANTED;
2. Plaintiff shall file a second amended complaint within **thirty (30) days** from the date of service of this order; and
3. Plaintiff's request for the return of the seventeen copies of his first amended complaint is DENIED on the ground that any such copies submitted were not retained by the Court.

IT IS SO ORDERED.

Dated: December 12, 2005
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/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE